APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/777,199	02/13/2004	Toshihiro Kamo	100021-00142	5775

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ARENT FOX PLLC
1050 CONNECTICUT AVENUE, N.W.
SUITE 400
WASHINGTON, DC 20036

EXAMINER
LE, JESSICA N

ART UNIT	PAPER NUMBER
2161	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	04/05/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

	Application No.	Applicant(s)
Office Action Summary	10/777,199	KAMO, TOSHIHIRO
	Examiner	Art Unit	
	Jessica N. Le	2161	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on <u>*13 February 2004*</u>.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) <u>*1-7*</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) <u>*1-7*</u> is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☒ The specification is objected to by the Examiner.

10) ☒ The drawing(s) filed on <u>*13 February 2004*</u> is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a) ☒ All   b) ☐ Some *   c) ☐ None of:

       1. ☒ Certified copies of the priority documents have been received.

       2. ☐ Certified copies of the priority documents have been received in Application No. _____.

       3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received. ·

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>02/13/2004</u>.

4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5) ☐ Notice of Informal Patent Application ·

6) ☐ Other: _____.

DETAILED ACTION

1.   **Claims 1-7** are presented for examination.

Priority

2.   The Applicant's claim for foreign priority JP2003-053747 (filed February 28th, 2003) under 35 U.S.C. 119(a)-(d) has been acknowledged and recorded.

Specification

3.   The abstract of the disclosure is objected to because of legal phraseology for example *"comprising"*. Appropriated correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 102

        The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4.   Claims 1-7 are rejected under 35 U.S.C. 102(e) as being anticipated by Dagelet, JR., US-PG Publication Number 2003/0236755 (hereinafter Dagelet).

Regarding claim 1, Dagelet teaches a POS system including a server and a

client (see Fig. 2), comprising:

a first master file formed in a relational data base format and used during an

online session between the server and the client (Fig. 2 – wherein Database Server **2** is existing

a first master file in RDB format to be used during an online session between the server and the client

(e.g., POS Terminal **9**) linked through Host Server **1**, Web Server **3**, Application Server **4**; and Para.

[0013]: "*A process... the application server temporarily decrypting and converting the request into a*

correct database format for storage into a database..."); and

a second master file formed in a text format, having a capacity smaller than the

first master file, and used during an offline session between the server and the client

(Para. [0051]: "*...the database is replicated and backed up for reference and contingency measures.*

The replication process is handled by the Database Server 2 then migrated to the Web Server 3 as

secondary backup. Thus, *if the Host Server 1 fails, the Web Server 3 may be used for the continuance*

of the system operations."; and Para. [0102]: "*...the packet formats include the category, brand, model of*

the product and the type of sales transactions.");

the second master file being down loaded from the server to the client at a time

when it is necessary for the client (Fig. 2 – POS Terminal **9** downloaded parameters from

controller which is linked to Host Sever **1**, Database Server **2**, Web Server **3**, Application Server **4**):

the client (e.g., POS Terminal 9) comprising:

a first referring means referring the first master file (Fig. 2 – wherein Database Server **2**

is existing a first master file in RDB format to be used during an online session between the server and the

client (e.g., POS Terminal **9**) linked through Host Server **1**, Web Server **3**, Application Server **4**; and Para.

[0013]: "*A process... the application server temporarily decrypting and converting the request into a correct database format for storage into a database...*"); and

a second referring means referring the second master file (Para. [0051]: "*...the database is replicated and backed up for reference and contingency measures. The replication process is handled by the Database Server 2 then migrated to the Web Server 3 as secondary backup. Thus, if the Host Server 1 fails, the Web Server 3 may be used for the continuance of the system operations.*": wherein "the database is replicated and backed up" is illustrated as a second master file to be used in the POS system);

the referring means being switched in such a way that, during an online session, the first master file being referred to by the first referring means and during an offline session, the second master file being referred to by the second referring means (Para. [0051]: "*...the database is replicated and backed up for reference and contingency measures. The replication process is handled by the Database Server 2 then migrated to the Web Server 3 as secondary backup. Thus, if the Host Server 1 fails, the Web Server 3 may be used for the continuance of the system operations.*").

Regarding claim 2, Dagelet teaches the client is a thin client without a hard disk (Fig. 1A-POS Terminals 9; and Paras. [0047], [0077], & [0104]).

Regarding claim 3, Dagelet teaches the time when it is necessary for the client is a time at which the client starts service (Para. [0053]: wherein "*...time of transaction...*" is illustrated as a time at which the client starts service).

Regarding claim 4, Dagelet teaches the capacity of the second master file is reduced by making a plurality of items in the first master file one item in the second master file (Para. [0104]).

Regarding claim 5, Dagelet teaches the capacity of the second master file is reduced by deleting, from the first master file, items which are not used, during the offline session, to form the second master file (Para. [0051]: "...*the database is replicated and backed up for reference and contingency measures. The replication process is handled by the Database Server 2 then migrated to the Web Server 3 as secondary backup. Thus, if the Host Server 1 fails, the Web Server 3 may be used for the continuance of the system operations.*").

Regarding claim 6, Dagelet teaches the client comprises a compact flash memory for storing the second master file (Paras. [0067] & [0111]).

Regarding claim 7, Dagelet teaches the client comprises a flash disk memory for storing the second master file (Paras. [0067] & [0111]).

Conclusion

5.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jessica N. Le whose telephone number is (571) 270-1009. The examiner can normally be reached on M-F 6:30 am - 3:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Apu M. Mofiz can be reached on (571) 272-4080. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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